

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.10944 of 2008
UMESH JHA
Versus
THE STATE OF BIHAR

3. 24/6/2008 Heard the counsel for the petitioner and the State.

Lakhisarai P.S. Case No. 395 of 2007 has been registered under Sections 461 and 379 of the Indian Penal Code against the petitioner who is working as an Area Officer in Lakhisarai under Bihar Industrial Area Development Authority.

As per the allegation, the lock of the factory premises allotted to the informant by BIADA was removed illegally and its article worth Rs. 2,00,000/- was taken away by the petitioner.

Counsel for the petitioner submits that the allegation is false as while discharging his official duty the petitioner had vacated the premises earlier allotted to the father of the petitioner and subsequently, on cancellation of the allotment, the eviction was done in presence of the Executive Magistrate under the orders of the superior authority.

Considering this fact, prayer for anticipatory bail on behalf of the petitioner Umesh Jha is allowed in connection with Lakhisarai P.S. Case No. 395 of 2007 in case of his surrender before the Additional Chief Judicial Magistrate, Lakhisarai on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of concerned court subject to the condition as laid down under Section 438 (2) of the Cr. P.C.

S.Ali

(Mridula Mishra, J.)